

APPEAL NO. 021291
FILED JUNE 21, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on May 2, 2002. The issues were:

1. Did the respondent (claimant) sustain a compensable injury on _____?
2. Did the claimant have disability resulting from an injury sustained on _____, and if so for what period?

The hearing officer determined that the claimant sustained a compensable injury on _____, and that he had disability from November 9, 2001, through February 11, 2002.

The appellant (carrier) appeals, contending that the claimant failed "to demonstrate a casual relationship between the mechanism of injury and the ganglion cysts" citing Texas Workers' Compensation Commission Appeal No. 941492, decided December 16, 1994, which it contends "is directly on point." The claimant responds, urging affirmance and responding to the points raised by the carrier.

DECISION

Affirmed.

The claimant was a forklift operator and testified that he injured his wrists pulling a pallet off a shelf. Although the issue was framed as cited above, much of the CCH was concerned with the nature of the injury, bilateral ganglion cysts. The hearing officer commented that "arguably the medical evidence is not sufficient to establish a causal link between the injury event . . . and the ganglion cysts." After further commenting that "[t]here is not much in the medical evidence that addresses causation of the cysts," the hearing officer cites a Work Status Report (TWCC-73) and a cites a doctor's report that reference a "traumatic ganglion cyst" bilaterally. We would also note that in evidence is a medical reference source which states that ganglion cysts are "often caused by an injury to [the] hand." Although, as noted by the hearing officer, there is no statement to the effect that within a reasonable degree of medical probability the claimant's ganglion cysts were caused by the injury, the medical reports recite a history of "a work related injury to both wrists" and diagnose bilateral ganglion cysts. There is no medical evidence to the contrary that the ganglion cysts were not caused by the pallet incident.

The carrier cites Appeal No. 941492, *supra*, as being directly on point. We disagree. Appeal No. 941492 essentially had no expert medical evidence of causation while this case had some minimal expert medical evidence. We hold that Appeal No. 941492 is not applicable because there was no medical evidence to establish causation.

After review of the record before us and the complained-of determinations, we have

concluded that there is sufficient support for the hearing officer's decision. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **AMERICAN HOME ASSURANCE COMPANY** and the name and address of its registered agent for service of process is

**ROBERT PARNELL
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SUITE 1600
DALLAS, TEXAS 75231-4813.**

Thomas A. Knapp
Appeals Judge

CONCUR:

Daniel R. Barry
Appeals Judge

Michael B. McShane
Appeals Judge